

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION

Plaintiff

**ATTORNEY
DECLARATION**

v.

Civil Action No.:
1:18-cv-00954

GREDA GROUP, LLC and
GREGORY M. GREDA

Defendants.

JOSEPH G. MAKOWSKI, ESQ., declares the following, under the penalty of perjury, pursuant to 28 U.S.C. § 1746:

1. At all relevant times hereto, I have been counsel for defendants, Grenda Group, LLC and Gregory M. Grenda (collectively “Defendants”). As such, I am personally familiar with the facts and circumstances of this action and set forth in this Declaration.

2. I submit this Declaration in support of Defendants’ motion, brought pursuant to Rule 6(b)(1)(b) of the Federal Rules of Civil Procedure, for an extension of time, until Monday, March 7, 2022, in which to file their post-trial motion.

3. On January 21, 2022, the Court entered a Text Order providing that “[p]ost-trial motions are . . . due twenty (20) days from the date of this text Order” (Doc. No. 130). Twenty (20) days from the date of the Text Order was February 10, 2022.

4. On February 9, 2022, Defendants moved for a twenty (20) day extension of time in which to file their post-trial motion (*see* Doc. No. 133).

5. By Text Order entered February 10, 2022, this Court granted Defendants' motion for a twenty (20) day extension of time in which to file their post-trial motion, making their post-trial motion due on March 1, 2022 (*see* Doc. No. 134).

6. Defendants' respectfully request an additional extension, until Monday, March 7, 2022, to file their post-trial motion, due to Declarant's professional schedule.

7. This past week Declarant was on trial in New York State Supreme Court, Chautauqua County (*Mitchell v Meyers*, Index No.: EMM-2020-236). This week Declarant is engaged in a post-judgment contempt proceeding in the United States District Court for the Western District of New York (*Consumer Financial Protection Agency, et al. v MacKinnon, et al.*, Civil Action No.: 1:16-CV-00880-FPG-HKS), which is scheduled for continuation before United States District Court Judge Frank Geraci on March 2, 2022.

8. On March 1, 2022, Declarant spoke with David Stoelting, Senior Trial Counsel for the Securities and Exchange Commission, regarding this request for a brief extension and Mr. Stoelting advised that he takes no position on Defendant's motion. On behalf of the United States Securities and Exchange Commission, Mr. Stoelting requested two (2) weeks to file a reply to Defendant's post-trial motion. Declarant has no objection to Mr. Stoelting's request for two (2) weeks to file a reply.

9. As such, a proposed Order is attached hereto as **Exhibit A**.

10. Given the foregoing, it is respectfully requested that this Court enter an Order granting Defendants' motion for an extension of time, until Monday, March 7, 2022, in which to file their post-trial motion; and grant the United States Securities and Exchange Commission's two

(2) weeks to file a reply, together with such other and further relief as to the Court seems, just and proper.

DATED: March 1, 2022

/s/ Joseph G. Makowski
Joseph G. Makowski, Esq.